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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,267	03/12/2004	Takashi Sato	ASM-P-04-002	9112

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PATENTS+TMS, P.C.  
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EXAMINER
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KAYRISH, MATTHEW

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/800,267	SATO, TAKASHI	
	Examiner	Art Unit	
	Matthew G. Kayrish	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Omori et al (US Patent Number 6426932).

Regarding claim 1, Omori et al disclose:

A disc drive for at least reproducing data recorded on an optical disc, comprising:

A main body which includes a base frame (figure 16, item 14) having a chassis (figure 16, item 14b) on which at least an optical pick-up (figure 15, item 41), a turntable (figure 15, item 40) and a spindle motor (figure 15, item 39) for rotating the turntable (column 4, lines 22-25) are provided, an outer case (figure 15, outer case is made up of items 6 and front part of 14) made of metallic plates (column 6, lines 10-12) and covering the outside of the base frame (column 6, lines 12-15), and a front panel (figure 15, item 60) provided in front of the outer case (figure 16, item 60 is in front of items 6 and 14) and made of a resin material (column 6, lines 7-10); and

A disc tray (figure 15, item 4) which is movable with respect to the main body between a loaded position (Position of figure 15) at which the optical disc is loaded in the

main body and an ejected position (position of figure 1) at which the optical disc can be placed on or removed from the disc tray;

Wherein the outer case (figure 16, item 6) has at least top plate (figure 15, item 62), bottom plate (figure 15, item 63), side plates (figure 13, side plates are present on item 6), and front plate (figure 6, front part of item 14) which respectively cover the top, bottom, sides and front of the base frame (item 14 will fit completely within item 6, with the front part sticking out), in which the front plate is formed with a disc tray opening (figure 16, front of item 14 has an opening on the top for disc tray) and the front panel is also formed with a disc tray opening (figure 16, item 60 has a disc opening) substantially corresponding to the disc tray opening of the front plate of the outer case so that the disc tray can move through these openings (openings correspond for disc tray to move into and out of casing).

Regarding claim 3, Omori et al disclose:

The disc drive as claimed in claim 1, wherein the front plate (figure 6, front part of item 14) of the outer case (figure 16, item 6) further includes at least one opening in addition to the disc tray opening (figure 16, front plate has an opening which corresponds to opening on the front panel [69]) thereof, and the first panel is also formed with an opening (figure 16, item 69) substantially corresponding to the opening of the front plate (the openings are in line), in which a component or member is provided in the openings so as to close them (figure 16, item 79).

Regarding claim 4, Omori et al disclose:

The disc drive as claimed in claim 3, wherein the component or member includes one selected from the group comprising a headphone terminal for connection with a headphone, a volume control knob for adjusting the reproducing volume level when reproducing data recorded on the optical disc, an emergency ejection hole member (column 10, lines 15-26) through which a jig is adapted to be inserted into the main body to forcibly move the disc tray toward the ejected position at an abnormal state such as power failure, a LED which lights up when the disc drive is operated, and a movement operation button which is operated to move the disc tray when the disc tray is to be moved to the loaded position or the ejected position (figure 17).

Regarding claim 5, Omori et al disclose:

The disc drive as claimed in claim 4, wherein the at least one opening of the front plate includes five openings and the front panel also include five openings (figure 17, front panel has six openings) corresponding to the five openings of the front plate for receiving the headphone terminal (figure 17, item 70), the volume control knob (figure 17, item 71), the emergency ejection hole member (figure 17, item 69), the LED (figure 17, 2 dots are LEDs) and the movement operation button (figure 17, item 68), respectively.

Regarding claim 6, Omori et al disclose:

The disc drive as claimed in claim 1, wherein the surface area of the front plate excluding the openings formed therein occupies 50% or more of the projected surface area of the front of the disc drive (figure 17, 50% of front panel [60] are not holes or openings).

Regarding claim 7, Omori et al disclose:

The disc drive as claimed in claim 1, wherein the front plate of the outer case is integrally formed with either one of the top plate or bottom plate (column 6, lines 1-14, front plate is made from front of chassis).

Regarding claim 8, Omori et al disclose everything repeated from claim 1, further disclosing:

Means for suppressing or reducing leak of noise generated in the main body due to the rotation of the optical disc to the outside of the main body (front part of chassis will stabilize the front panel), the means comprising a metallic plate (figure 16, front part of chassis [14]) provided behind the front panel (front part of chassis is behind the front panel), in which each of the front panel and the front plate is formed with a disc tray opening through which the disc tray can move (openings correspond, therefore, tray will be able to move into and out of casing).

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Omori et al, in view of Nakajima (US Patent Number 5748595).

Regarding claim 2, Omori et al fail to disclose:

A disc drive with a front panel that comprises:

A first panel in which the disc tray opening is formed and a second panel which is rotatably provided with respect to the first panel so as to cover the disc tray opening of the first panel.

Nakajima discloses:

A disc drive with a front panel that comprises:

A first panel (figure 24, item 110) in which the disc tray opening (figure 24, item 110a) is formed and a second panel (figure 24, item 112) which is rotatably provided with respect to the first panel (figure 25, item 112 is connected to item 113) so as to cover the disc tray opening of the first panel (column 21, lines 61-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace Omori et al's front panel [60] with a panel comprising a stationary part and a rotating door-like part, as taught by Nakajima, because this door will be biased to the closed position. This will therefore protect the disc tray from being scratched or damaged. Furthermore, protecting this hole will prevent dust adhesion to the tray, which can build up to clutter the reading of the signal over time.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew G. Kayrish whose telephone number is 571-272-4220. The examiner can normally be reached on 8am - 5pm M-F.

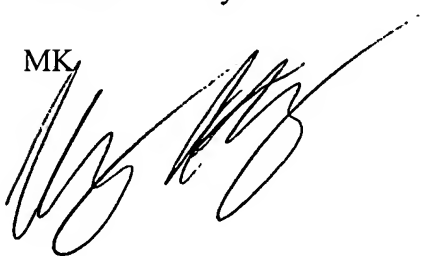
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew G. Kayrish

7/6/2006

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